

## **REMARKS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the remarks.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-25 are pending. Claims 1, 11-13 and 21-25 are independent. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. The independent claims are amended to clarify what was meant by the “media,” as previously recited, and as discussed with the Examiner on September 5, 2007.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-25 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,585,838 to Lawler, et al. (hereinafter, merely “Lawler”) in view of U.S. Patent No. 5,790,198 to Roop, et al. (hereinafter, merely “Roop”) and further in view of U.S. Patent No. 5,727,159 to Kikinis (hereinafter, merely “Kikinis”). Thus, the Examiner repeats his prior rejection of the claims for the same reasons set out in the previous Office Action of November 2, 2006.

The Examiner is thanked for the courtesy of the telephone interview of September 5, 2007. During the interview, Applicants’ representative pointed out that the claimed invention adjusts the display of the EPG depending upon the medium that delivers the EPG data to the device. The reference to Kikinis adjusts the display as a function of the device on which the data is displayed, but there is no adjustment as a function of the medium that delivers the data. In Kikinis, if a given display device is used, the format of the data that is

displayed on that device is adjusted to fit the device itself; but, if the delivery medium is changed from, for example, a wide bandwidth carrier to a telephone modem, or to a DVD, or to a magnetic tape, or to a CD ROM, the display itself remains the same. During the interview, the Examiner admitted he did not consider the claimed "media" as meaning the delivery medium (e.g. CD ROM, DVD, magnetic tape, telephone line, etc.). Accordingly, to clarify what is meant by the claimed expression "media," the independent claims are amended by changing "media" to -- a delivery medium --.

Clearly, neither Kikinis nor any of the other references relied upon in the final rejection under reply suggests that the EPG is displayed according to the delivery medium on which the data, or at least the first or second information, is provided.

As mentioned in the response filed January 24, 2007, Applicants again submit that Lawler, Roop and Kikinis taken either alone, or in combination, do not teach or suggest an information providing apparatus “wherein said electronic program guide information is displayed according to a delivery medium on which said data or at least one of said first information and said second information is provided,” as recited in independent claim 1.

The Office Action concedes on page 6 that Lawler and Roop “do not discuss displaying the EPG on any other type media.” The Office Action asserts that Kikinis discloses the above-identified features.

However, Kikinis merely discloses that when “one connects to the Proxy-Server the hand-held unit, through the HT-Lite Nano-Browser program, provides a signature which the Proxy-Server compares with logged signatures. An ID match when connecting a hand-held unit to the Proxy-Server with information about the hand-held unit...The Proxy-Server then uses this

specific information to translate HTML and other files from the Internet to a form readily usable without extensive additional processing by the hand-held unit.” Merely translating files to a format usable by a portable computer does not teach or suggest that electronic program guide information is displayed according to the delivery medium on which the data is provided.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 11-13 and 21-25 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 11-13 and 21-25 are patentable over the cited references.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent on an independent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

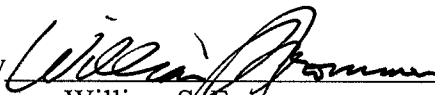
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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